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Turks and Caicos Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 29 December 2014. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: The Turks and Caicos Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Peter Beckingham (October 2013).

Geography: The Territory, which comprises 40 islands and cays, lies 145 km north of Haiti and the Dominican Republic and 925 km south-east of Miami, United States of America. Six islands are permanently inhabited: Grand Turk, where the capital is located; Providenciales, the business and tourist centre with the great majority of the population; North Caicos; Middle Caicos; South Caicos; and Salt Cay.

Land area: 948.2 km^2.

Exclusive economic zone: 154,068 km^2.

Population: 31,458 (2012 census), comprising 42.5 per cent citizens, or "belongers", and 57.5 per cent immigrants, or "non-belongers", from the region, North America and Europe.

Life expectancy at birth: 79.6 years (women: 82.4 years, men: 76.8 years (2014 estimate)).

Language: English.

Capital: Cockburn Town.

Head of territorial Government: Rufus Ewing (November 2012).

Main political parties: Progressive National Party, People's Democratic Movement.

Elections: Most recent: 9 November 2012; next: due by January 2017.

Legislature: House of Assembly.

Gross domestic product per capita: $16,500 (2012 estimate).

Economy: Tourism, financial services, construction.

Unemployment rate: 8.5 per cent (2012 estimate).

Monetary unit: United States dollar.

Brief history: The first inhabitants of the islands were the Arawakan-speaking Taino people. In 1799, the islands were annexed by Great Britain as part of the Bahamas and subsequently Jamaica. They became a separate colony of the United Kingdom in 1962, when Jamaica achieved independence, although there were close constitutional ties with the Bahamas. After the Bahamas became independent, in 1973, a governor replaced the former administrator for the Turks and Caicos Islands.

I. Constitutional, legal and political issues

1. The Turks and Caicos Islands Constitution Order 2011, which entered into force on 15 October 2012, provides for a governor as the head of the Government, a house of assembly composed of elected and appointed members and the Attorney General, a cabinet and ministers appointed from among those elected or appointed members.

2. According to the administering Power, the 2011 Constitution also provides for the judiciary, the public service and a number of institutions protecting good governance, notably an integrity commission, a human rights commission, an auditor general and a director of public prosecutions. Provisions are also made in relation to Crown land and public financial management. Under the Order, the British Crown reserves the power, with the advice and consent of the Privy Council of the United Kingdom of Great Britain and Northern Ireland, to make laws for the peace, order and good government of the Territory.

3. The Governor, appointed by the British Crown, is responsible for external affairs, defence, internal security, including the police force, and some public service matters.

4. The legislature, the House of Assembly, comprises the Speaker, 15 elected members, four appointed members and the Attorney General. Ten members are elected to represent one electoral district each, and the remaining five by Territory-wide vote.

5. The law of the Territory consists mainly of locally enacted statutes, along with some laws enacted in the United Kingdom and English common law. The court system includes magistrates' courts, the Supreme Court and the Court of Appeal, with ultimate recourse to the Judicial Committee of the Privy Council. On the advice of a judicial service commission, the Governor appoints magistrates and the judges of the Supreme Court and the Court of Appeal.

6. According to the administering Power, the recent past has seen political turbulence in the Turks and Caicos Islands. The Territory operated on the basis of a ministerial system of government under the 2006 Constitution negotiated between the elected territorial Government and the United Kingdom until 14 August 2009, whereupon the United Kingdom brought into force legislation that, among other things, temporarily suspended parts of the Constitution, thereby removing the Government and the House of Assembly. The United Kingdom stated that that action had been motivated by mounting evidence of systemic corruption in the territorial Government and legislature and among public officers, which was uncovered by a commission of inquiry established in July 2008.

7. Between August 2009 and November 2012, the Governor, who was given extended powers, worked under interim constitutional arrangements with an advisory council and a consultative forum. Each was constituted by islanders appointed by the Governor. The arrangement was referred to as the "interim Government", the "interim Administration" or "direct rule".

8. Coinciding with the suspension of parts of the 2006 Constitution in 2009, an economic downturn and austerity measures required to "balance the books" and to ensure that public services in the Territory could continue to function led to some layoffs in the public sector. According to the administering Power, that generated a

degree of resentment among some residents who perceived them as a direct result of the intervention by the United Kingdom.

9. In 2011, the United Kingdom passed a new constitution for the Turks and Caicos Islands, the Territory's fifth since 1962. It added a variety of good governance initiatives and measures to ensure the sound management of the public finances.

10. The interim Administration came to an end on 9 November 2012 when elections were held. With an 84 per cent turnout of voters, the Progressive National Party, which had been in office when the previous Government had been removed in 2009, won eight seats, while the People's Democratic Movement won seven seats. The leader of the Progressive National Party, Rufus Ewing, was sworn in as Premier on 13 November 2012, returning elected government rule to the Territory.

11. In February 2013, the Caribbean Community noted with grave concern that, although the elections of November 2012 had led to the restoration of representative government in the Territory, the overall state of political affairs remained less than desirable and the restoration of true democracy was still a far way off. It dispatched a ministerial fact-finding mission to the Territory in June 2013. According to media reports, the mission's internal report contained a number of recommendations, including the holding of a referendum on the acceptance of British rule under the current constitution. In March 2014, the Heads of Government of the Community received an update on the situation, undertaking to continue to monitor it and expressing their support for the full restoration of democracy in the Territory on terms driven by its people. Furthermore, they said that they continued to look forward to a response from the Government of the United Kingdom to the mission's report.

12. For its part, in September 2013 the House of Assembly established an eight-member constitutional review committee, which comprised representatives of the territorial Government, the opposition and the public and was mandated to review the 2011 Constitution, hold consultations with the public and make recommendations by 15 November 2014 to the House for constitutional changes to be debated and ratified for onward submission to the Foreign and Commonwealth Office of the United Kingdom.

13. In its report submitted to the Premier in November 2014, the Committee made a series of recommendations relating to most parts of the 2011 Constitution, which included the reinstatement of the automatic right to trial by jury enshrined in the 2006 Constitution, the inclusion of a requirement that the Premier be a Turks and Caicos Islander, the repeal of the provision disqualifying someone from running for Premier after serving two consecutive terms in that post and the removal of the reference to the Office of the Chief Financial Officer. With regard to a referendum on independence, the Committee stated that it was a matter for the political hierarchy and not within its terms of reference.

14. According to media reports, the report of the Committee was submitted by the Premier for discussion by the House of Assembly in December 2014. As at February 2015, it was under debate by the House.

II. Budget

15. The territorial Government achieved an unaudited surplus of $25.6 million in the financial year 2013/14 ($11.4 million above the approved budget projection of $14.2 million). In addition, the actual performance for the budget cycle included recurrent revenue of $200.3 million, recurrent expenditure of $154.6 million and capital expenditure of $9.7 million. According to the administering Power, the significant improvement in recurrent revenue performance is particularly tied to improvements in the general economy.

16. As to the 2014/15 budget, the approved recurrent revenue target is $212.4 million, the expenditure target $173.9 million and the capital expenditure target $12.8 million, according to the administering Power. The surplus is projected at $18.4 million, which is expected to be achieved with the continuation of the tight fiscal management strategies.

17. The territorial Government levies no corporate or personal income, capital gains or inheritance tax. Foreign corporations pay licence fees to operate in the Territory. In 2014, lack of support from the House of Assembly meant that a potential payroll tax was not implemented.

18. The Territory has access to both the tenth and eleventh European Development Funds for its budget support. As at December 2013, $19 million of the earmarked $298 million from the eleventh Fund had been awarded to the Territory.

III. Economic conditions

A. General

19. The main sectors of the economy are tourism and financial services. According to the Economist Intelligence Unit, the Territory's gross domestic product (GDP) in 2014 was estimated to be $829.2 million, up from $793.2 million in 2013. According to the territorial Government, the real growth of the economy in 2013 was 1.32 per cent, which was in part affected by the weaknesses in tourism activity. According to the administering Power, however, real GDP growth was expected to rise to 4.6 per cent in 2014.

20. In June 2014, the Territory received its first sovereign credit rating of BBB+ by Standard and Poor's. According to the administering Power, the rating represented a milestone for the Territory in view of its turbulent financial past. Standard and Poor's also forecasted that the Territory's GDP would grow by an average of 3 per cent over the coming three years, citing the effects of several tourism projects.

B. Tourism and construction

21. Tourism continues to be the Territory's primary industry, accounting for more than 40 per cent of its GDP. Both foreign investors and visitors, mainly from Canada, the United Kingdom and the United States of America, play a significant role. According to the Economist Intelligence Unit, strong overall growth in the number of tourist arrivals continued in the first half of 2014, boosting first-half

year-on-year growth to 35 per cent, with stopover arrivals rising by 25 per cent and cruise ship arrivals also increasing by 40 per cent compared with the same period in 2013. The vast majority of stopover tourists continue to be accommodated at resorts on Providenciales.

22. In 2013, the territorial Government approved a tourism policy strategy to promote intra-island and intraregional travel of tourists visiting the Turks and Caicos Islands. The territorial government estimates that the number of stopover visitors in 2013 fell by 0.4 per cent and the number of visitors from Canada, the second-largest source market, by 16.1 per cent.

23. Construction output is closely linked to capital investment in the tourism sector. According to the administering Power, construction activity is expected to increase significantly in 2015 as a result of foreign direct investment in large-scale tourism-related projects, including the construction of a $100 million luxury resort approved by the territorial Government in 2014, and of a number of public roadworks.

C. Financial services

24. International financial services, including company registration, trust business and insurance, are a major source of external revenue for the Turks and Caicos Islands. The Territory's financial services sector is centred on automobile industry reinsurance in the United States. There are seven commercial banks in the Territory, three of which are Canadian. The licensing, supervision and development of the international financial services sector are entrusted to the Turks and Caicos Islands Financial Services Commission, which also provides a centralized service for registering companies, partnerships, trademarks and patents in the Territory. According to the Commission's annual report covering the period from April 2013 to March 2014, the industry remains strong, with the asset base of the banking sector growing by 3 per cent to $1.8 billion. The Territory has also seen continued growth in its international insurance sector, with a total of 7,040 active international insurance licences, representing an increase of 12.5 per cent compared with the previous period.

25. According to the administering Power, the territorial Government continues to seek treaty partners for tax information exchange agreements. In December 2013, the Territory signed the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information based on article 6 of the Convention on Mutual Administrative Assistance in Tax Matters. The Territory has also signed agreements under the Foreign Account Tax Compliance Act with the United Kingdom and the United States.

26. Furthermore, according to the administering Power, the final report of the national risk assessment with regard to money-laundering and terrorist financing, led by the Attorney General's Chambers with support from the Financial Services Commission, is expected to be produced by June 2015.

D. Agriculture and fisheries

27. Agriculture and fisheries account for less than 1 per cent of the Territory's GDP. Agricultural production is limited by the lack of fresh water and consists mainly of the growing of vegetables and citrus fruits on the Caicos Islands. According to the administering Power, there are no large or medium commercial producers for either crops or livestock, with the exception of small farms and one pig farm of note.

28. Fishing is the Territory's main primary sector industry. A recent pelagic fishing study found that the Territory was producing as much as 5,000 pounds of tuna, swordfish, mahimahi and other deep-water fish per year for the local and export markets.

E. Communications and utilities

29. The Territory's transport and communications facilities are of fairly good quality. The road network covers about 120 km, with 24 km of paved roads on Grand Turk, Providenciales and the Caicos Islands.

30. The Territory has three international airports: the main one on Providenciales and smaller ones on Grand Turk and South Caicos. Flights are available to the Bahamas, Canada, Cuba, the Dominican Republic, Haiti, Jamaica, the United Kingdom and the United States. Phase II of the Providenciales Airport project was reportedly completed as scheduled at the end of December 2014. The terminal building was significantly enlarged, with an expanded departure lounge and a larger immigration hall, among other improvements. The project also included a new road traffic circulation system and car park.

31. The main commercial port of South Dock is situated on Providenciales. Grand Turk has a commercial port and a cruise ship terminal. North Caicos has a deep-water port.

32. Three telecommunications companies provide national and international telephone services in the Territory. There are a handful of cable television channels on Grand Turk, more than two dozen channels on Providenciales and six radio stations. A number of weekly newspapers also maintain websites.

33. According to official sources, the Territory has a monopoly supplier of electricity that produces electricity exclusively from diesel-powered generators. Numerous studies have indicated that, owing to the excessive cost of electricity generation, solar and wind technologies would not only be economically viable, but also offer a less-expensive alternative for private individuals. Given the Territory's abundant solar and wind resources, the territorial Government has recently begun to explore the use of those renewable energies. In February 2014, it announced its commitment to supporting long-term plans to move the Territory towards sources of renewable energy.

IV. Social conditions

A. General

34. In its 2012 preliminary census report, the Territory noted that, of the total population of 31,458, 16,037 (51 per cent) were men and 15,421 (49 per cent) were women. Some 74 per cent of the total population were over 18 years of age. According to official information, people from approximately 70 countries live in the Turks and Caicos Islands.

35. The Turks and Caicos Islands National Insurance Board, a statutory body of the territorial Government, is the sole provider of social insurance benefits to persons between 16 and 65 years of age who are gainfully employed within the Territory.

36. According to the 2012 *Turks and Caicos Islands Country Poverty Assessment Report*, 22 per cent of the population and 16 per cent of households were living in poverty, compared with 26 per cent and 18 per cent, respectively, in 1999. On the other hand, the number of people living in poverty in 2012 was much higher (approximately 6,800) than it was in 1999 (around 3,900), owing to the high level of population growth since 1999. The Department of Social Development and Gender Affairs continues to assist the poor and vulnerable through various programmes, including free medical care, in partnership with the Ministry of Health and Human Services.

37. The territorial Government decided in 2013 to prepare a young adult empowerment policy with a number of goals that it hoped to achieve by 2020, including a significant increase in the percentage of young islanders being employed in a managerial position, owning a first home by 35 years of age, owning a business, gaining access to tertiary education and having a certified employable skill.

B. Labour and immigration

38. The public sector continues to be the Territory's main employer. Other employment sectors include tourism, construction and international financial and business services.

39. Data from the 2012 preliminary census report indicate that immigrants accounted for 57.5 per cent of the population aged 18 and older. The rate of growth is much higher than that of citizens.

40. According to the administering Power, the Territory has put in place since 2012 a transparent and simplified system to obtain British overseas territory citizenship and Turks and Caicos Islander status. It has also introduced guidance on and amendments to its immigration ordinance.

41. According to the administering Power, while border security remains a concern, the commissioning of a coastal radar station, coupled with diplomatic engagement with countries of origin as well as the working relationships with the marine branch of the police and other response agencies, has proved to be an important tool in the interception and screening of persons seeking to cross borders via sea.

42. According to the administering Power, incremental improvements are being made with regard to the issuance of work permits and the finding of job placements for locals seeking employment in the local labour market.

C. Education

43. Education in the Territory is free and compulsory for children from 4 to 16 years of age. There are 47 schools, with a total enrolment of approximately 5,200 pupils, covering preschool to tertiary education. Of those, 14 are run by the territorial Government; 10 are primary schools and 4 are secondary schools. While there are more private schools than public schools, approximately 80 per cent of pupils are enrolled in public schools. According to the administering Power, there are two schools for children with special needs. The adult literacy rate among islanders is estimated at 98 per cent, while that of immigrants is much lower.

44. In 2014, the Territory completed the development of a five-year education sector plan. An initial study, undertaken with the support of the United Nations Children's Fund, identified strategic priority areas, including provision of additional school places, leadership and management, teachers' professional expertise, curriculum development, technical and vocational training, and tertiary and continuing education.

45. According to the administering Power, as part of addressing the need for additional school places at the high school level, the Government allocated $1.6 million to the first phase of the development of a new high school on Providenciales. Work is scheduled to begin before the end of the 2014/15 financial year so as to reduce overcrowding at what is currently the only public high school on the island.

46. According to the administering Power, as part of its strategic priorities, the territorial Government is also working with the Caribbean Examinations Council to begin preparations for the introduction of vocational certification, with the aim of creating a pathway other than purely academic streams for children.

47. With regard to higher education, a community college with branches on Grand Turk and Providenciales, the Turks and Caicos Islands Community College, provides two-year and four-year courses. According to the administering Power, having completed its own five-year strategic plan, the College identified priority areas, which included strengthening its leadership and administration and expanding programme offerings to reflect the Territory's development needs. The College is also expected to strengthen its technical and vocational programmes by providing certification in those areas.

48. Citizens from the overseas territories benefit from the home student fee rate at British universities. In addition, the European Union provides for access to, among others, horizontal European Union funds, such as those for higher and vocational education.

D. Public health

49. According to the administering Power, medical facilities in the Turks and Caicos Islands have been improved in recent years with the opening of new hospital

facilities operated by Interhealth Canada on Providenciales and Grand Turk. They conduct a range of activities, including diagnostic services, family practice and outpatient specialty clinics, emergency services and inpatient care. Serious cases are referred overseas, regionally to Jamaica, the Dominican Republic or the Bahamas. If the service is not available regionally, serious cases are referred outside the Caribbean. As previously reported, in 2014 the territorial Government formed a medical tourism steering committee to develop policies for the operation of medical tourism activities in the hospitals on Providenciales and Grand Turk.

50. Primary health-care facilities are operated by the Primary Health Care Department on all islands. According to the administering Power, all facilities have the appropriate medical supplies.

E. Crime and public safety

51. The crime rate in the Turks and Caicos Islands remains low. While offences consist mainly of theft and burglary, there is also some violent crime, such as armed robbery and sexual assault. According to the administering Power, few incidents of gang-culture crime were reported in 2014. Also according to the administering Power, there continued to be numerous illegal migrant sloop landings and interdictions of such landings in 2014. The number of drug seizures within the Territory remains low.

52. In 2014, HMS *Argyll* was in the Caribbean as part of the Royal Navy's Atlantic Patrol Tasking North, which provides a British maritime presence and crisis communications in the region throughout the year. During hurricane season, a Royal Navy ship is on standby to provide humanitarian support to Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands. During her time in the Caribbean, HMS *Argyll* worked with other regional navies and coastguards to combat illegal activities on the high seas.

53. As previously reported, a large criminal investigation by the Special Investigation and Prosecution Team, appointed during the interim Administration when the Governor ruled directly after parts of the Constitution were suspended, resulted in 14 people (including a former Premier and Cabinet ministers) being charged with serious criminal offences. According to the administering Power, the trials are due to begin in 2015. The former Premier, Michael Misick, faces charges of conspiracy to receive bribes, conspiracy to defraud the Government and money-laundering relating to his time in office. He was arrested in Brazil in 2012 and extradited to the Turks and Caicos Islands in 2014. He was released on conditional bail by the Supreme Court in January 2014.

54. There were moves in the House of Assembly in 2014 to repeal the Trials without a Jury Ordinance 2010 that was enacted as subordinate legislation to the 2011 Constitution which, according to the administering Power, does not contain an automatic right to trial by jury. According to the administering Power, the Ordinance provides for a right to trial by jury, but that right could be waived under certain circumstances, resulting in a trial being conducted and a determination of guilt or innocence being made by a judge alone.

55. Counsel for those charged following the investigation by the Special Investigation and Prosecution Team contended that the right to a fair trial under the

Constitution was being infringed by the Jamaican judge hearing the case, Paul Harrison, arguing that he was not independent or impartial because of the terms and conditions under which he was appointed. The appeal is set to be heard by the Judicial Committee of the Privy Council in London.

56. According to the administering Power, the Special Investigation and Prosecution Team continues its work under the direction of the local police and the Director of Public Prosecutions.

F. Human rights

57. In addition to the Convention for the Protection of Human Rights and Fundamental Freedoms, major international human rights instruments have been extended to the Turks and Caicos Islands. The right of individual petition to the European Court of Human Rights also has been indefinitely extended to the Territory.

58. To strengthen the human rights framework in the Territory, the 2011 Constitution included a preamble in which the people of the Turks and Caicos Islands affirmed their intention to commit to the democratic values of a just and humane society pursuing dignity, prosperity, equality, love, justice, peace and freedom for all. In addition, according to the administering Power, the section on fundamental rights provided a more comprehensive legal framework and a more inclusive framework in respect of the scope of the rights and its procedural guarantees than the previous 2006 Constitution and added sexual orientation as a protected right.

59. The Human Rights Commission was established in 2008 as one of the institutions for the protection of good governance under the framework set out in the 2011 Constitution. Its primary responsibility is to promote understanding and observance of human rights. Its operation and functions are governed by subordinate legislation under the Turks and Caicos Islands Human Rights Commission Ordinance 2013.

60. Building on the comprehensive review of local laws conducted in 2012 to identify weaknesses in the legislation for compliance with the Convention on the Elimination of All Forms of Discrimination against Women, recommendations were incorporated into bills that, according to the administering Power, are under consideration by the House of Assembly and expected to be enacted early in 2015. According to the administering Power, however, there remains work to be done to strengthen criminal legislation to protect women.

61. The Equalities Ordinance 2012 is in effect and offers protection from discrimination additional to that contained in the 2011 Constitution, identifying the protected characteristics of age, disability, marriage, political opinion, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

V. Environment

62. The Territory's Department of Environment and Maritime Affairs is responsible for the conservation, protection and management of the Territory's

natural resources, including wetlands, which cover nearly half of the surface of the islands. Most of the Territory's tourism-based economy hinges on maintaining a natural environment of high quality. While Providenciales and, to a lesser extent, Grand Turk are undergoing rapid development, many of the other islands, such as North Caicos, Middle Caicos and South Caicos, are experiencing less development. East Caicos remains largely untouched and ecologically intact.

63. The Department requires an environmental impact assessment to be conducted for all development projects to ensure that such development will not cause undue damage to the environment and that the best options are taken into account and/or inevitable impacts are mitigated. According to the administering Power, careful attention is given to the delicate balance between development and environmental preservation.

64. The Territory regularly participates in regional meetings sponsored by the Caribbean Regional Fisheries Mechanism, at which planning for sustainable fisheries and disaster risk management are discussed along with climate change issues. The administering Power also continues to provide funds for projects focused on environmental sustainability.

65. According to the administering Power, the Territory also participates in meetings organized by the Caribbean Environment Programme of the United Nations Environment Programme, at which issues pertaining to protected areas, wildlife, land-based pollution and oil spills, among others, are discussed.

66. The United Kingdom Overseas Territories Biodiversity Strategy has been devised as a key tool to enable the United Kingdom and overseas territorial Governments to meet the relevant international obligations for the conservation and sustainable use of biodiversity. In April 2014, a report was published about ongoing and planned activities that are supported by the Department for Environment, Food and Rural Affairs, the Foreign and Commonwealth Office and the Department for International Development of the Government of the United Kingdom, as well as its statutory adviser the Joint Nature Conservation Committee, in each of the areas under the Strategy. The report covered, inter alia, activities in Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, the Falkland Islands (Malvinas),[1] Gibraltar, Montserrat, Pitcairn, Saint Helena and the Turks and Caicos Islands.

VI. Relations with international organizations and partners

67. The Turks and Caicos Islands is an associate member of the Economic Commission for Latin America and the Caribbean, including the Commission's Caribbean Development and Cooperation Committee.

68. The Territory is an associate member of the Caribbean Community. It is also a member of the Caribbean Development Bank, the International Criminal Police Organization and the Caribbean Financial Action Task Force. Furthermore, it is a member of the Caribbean Regional Fisheries Mechanism and an associate member of the Association of Caribbean States.

[1] A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Malvinas).

69. As a Non-Self-Governing Territory of the United Kingdom, the Territory is associated with the European Union but not a part of it. Since January 2014, the Territory has been a partner under decision 2013/755/EU of the Council of the European Union of 25 November 2013 on the association of the overseas countries and territories with the Union, approved, inter alia, in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the Union in the wider world.

VII. Future status of the Territory

A. Position of the territorial Government

70. Information on political, legal and constitutional developments is contained in section I above.

B. Position of the administering Power

71. On 10 October 2014, at the 5th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the sixty-ninth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was modern and based on partnership, shared values and the right of the people of each territory to determine whether to remain British. Should the people of a territory choose to remain British, the United Kingdom would maintain and deepen its special relationship with them.

72. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had been working closely with the territories to develop that partnership further. His Government had a fundamental responsibility to ensure the security and good governance of its overseas territories. The United Kingdom had strengthened the annual meeting with territory leaders into a Joint Ministerial Council and had given it a clear mandate to lead work to review and implement the strategy and the commitments set out in the white paper.

73. At the third meeting of the Overseas Territories Joint Ministerial Council, held in London on 2 and 3 December 2014, the United Kingdom and overseas territory leaders agreed upon a communiqué that included the following passage setting out the joint position of the United Kingdom and the overseas territories on self-determination:

> The peoples of all the Territories have the right of self-determination. For those Territories with permanent populations who wish it, the United Kingdom will continue to support requests for the removal of the Territory from the United Nations list of Non-Self-Governing Territories. Territory Governments are politically accountable to their legislatures for the exercise of devolved areas of policy. We will continue to work together to develop governmental and democratic institutions so that Territories have the greatest self-

government possible, compatible with the United Kingdom's obligations in respect of its sovereign responsibilities.

VIII. Action taken by the General Assembly

74. On 5 December 2014, the General Assembly adopted resolutions 69/105 A and B without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2014 (A/69/23) and the subsequent recommendation by the Fourth Committee. Section X of resolution 69/105 B concerns the Turks and Caicos Islands. In that section, the Assembly:

(a) Expressed its support for the full restoration of democracy in the Territory and the work of the Constitutional Review Committee in that regard, and noted the efforts of the administering Power to restore good governance, including through the introduction in 2011 of a new constitution and the holding of elections in November 2012, and sound financial management in the Territory;

(b) Noted the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries in support of a democratically elected territorial Government and of the full restoration of democracy in the Territory as decided by its people;

(c) Also noted the continuing debate on constitutional reform within the Territory, and stressed the importance of participation by all groups and interested parties in the consultation process;

(d) Stressed the importance of having in place in the Territory a constitution that reflected the aspirations and wishes of the people of the Territory, based on the mechanisms for popular consultation;

(e) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(f) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(g) Also welcomed the continuing efforts made by the territorial Government addressing the need for attention to be paid to the enhancement of socioeconomic development across the Territory, including through public-private consultative partnerships and small business development programmes.